

EXHIBIT

24

1 GEORGE I.

April,
1715.

CHAP. XXVI.

~~~~~ An ACT for the speedy trial of criminals, and ascertaining their punishment in the county courts when prosecuted there, and for payment of fees due from criminal persons.

A Supplementary act, May 1765, ch. 6.

Preamble.

**W**HEREAS many acts of assembly have been heretofore made against thieving and stealing, which at this present are not sufficient to prevent the committing those crimes, or to punish them when committed;

Justices of  
the county  
courts, of  
what crimes  
they may  
hold plea.

**II. BE IT THEREFORE ENACTED, by the King's most excellent majesty, by and with the advice and consent of his majesty's Governor, Council and Assembly of this province, and the authority of the same, That it shall and may be lawful to and for the several justices of the county courts of this province to hold plea of, adjudge, and in lawful manner determine, all thieving and stealing of any goods or chattels whatsoever, not being above the value of one thousand pounds of tobacco (robbery, burglary, and house-breaking excepted,) (a) and every person or persons legally convicted of any such thieving and stealing (except before excepted,) by testimony of one sufficient evidence, not being the party grieved, before any such county court as aforesaid, shall and may cause to be punished, by paying fourfold of the value of the goods so thieved or stolen as aforesaid, and the stolen goods returned to the party or parties grieved thereby, and by putting in the pillory, and whipping so many stripes as the court before whom such matter is tried, shall adjudge, not exceeding forty; which court shall always adjudge the value of the goods so thieved and stolen as aforesaid; and if any such person, so convicted, have not sufficient goods and chattels, or be a servant, whereby he is incapable to have goods and chattels to satisfy and pay the said fourfold, in every such case, such person or persons shall receive the corporal punishment as aforesaid, and satisfy the fourfold, and fees of conviction, by servitude.**

Time of ser-  
vice, when  
to com-  
mence.

**III. AND BE IT HEREBY ENACTED AND DECLARED, by the authority, advice and consent aforesaid, That the time of service of a free person convict as aforesaid, not having goods and chattels as aforesaid, shall commence from the time of his conviction as aforesaid; and the time of service of a servant, convict as aforesaid, shall commence at the expiration of such time of servitude, to which, at the time of his conviction, he stood bound, which time of servitude, for satisfaction for the**

(a) By 1785, ch. 87, section 7, the justices of the county courts are empowered, (unless in cases particularly directed by law to be tried in the general court) to try all persons who have committed any manner of offence, although it may subject such person to the pains of death.

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stolen goods, and fees accrued as aforesaid, shall be adjudged by such county court, either to the party grieved, or any other person the court shall order such convict to, that will then and there pay, or secure to be paid, the fourfold and costs aforesaid, at the discretion of the court; and if any person or persons shall receive or take part of such stolen goods, or assist the person so stealing as aforesaid to make away or conceal them, being legally convicted as aforesaid, shall suffer the same corporal pains with the party stealing as aforesaid, any law, statute, usage or custom to the contrary notwithstanding.

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Persons  
again proce-  
cuted must  
be tried in  
the provin-  
cial court, if  
the present-  
ment char-  
ges them  
with steal-  
ing above  
the value of  
12 pence.

**IV. AND,** If any person or persons have been once convicted of any such thieving and stealing, (except before excepted,) and shall after be again presented for thieving and stealing of any goods or chattels, laid to be above the value of twelve-pence, it shall not be tried and determined by any county court, but the party presented, upon such presentment, shall be proceeded against in the provincial court as a felon for simple felony, but shall not be punished by death, but only paying the fourfold, branding with a hot iron, or such other corporal punishment as the court shall adjudge, saving life; and such presentment shall be, by the clerk of every such county court, immediately sent to the then next provincial court, together with a transcript of his former conviction, if such conviction was in the same court where the presentment aforesaid shall be, or otherwise, made known to the attorney-general in what other court such former conviction was, if to him known, under the penalty of five hundred pounds of tobacco to our sovereign lord the king, his heirs and successors, for the support of government; and the parties witnesses against such felons, if in court at the time of such presentment, shall be bound over to give evidence as aforesaid, or otherwise, if not in court, an account of their names and places of dwelling to be sent to the attorney-general, to be summoned against the then next provincial court, in order to such trial; and the party presented, if in court, to be bound over also, by due course of law, to answer such presentment, or, if not in court, proceeded against by due course of law as aforesaid.

**V. AND BE IT FURTHER ENACTED,** by the authority, advice and consent aforesaid, That any person or persons whatsoever that shall kill any unmarked swine above three months old, if not upon his or their own land, or not in company with his or their own stock, shall and is hereby adjudged an hog stealer, and shall be liable to restore fourfold, and suffer such corporal pains as against the first offence in this act mentioned.

Penalty for  
killing un-  
marked  
swine.

**VI. AND,** to prevent any person or persons concealing or disfiguring the mark of any swine killed as aforesaid, **BE IT FURTHER ENACTED,** by the authority, advice and consent aforesaid, That if any person or persons killing any such unmarked swine in the woods, or elsewhere, and shall wilfully disfigure the mark, or cut off the ears of such swine, so as to con-

For disfig-  
uring their  
mark, &c.

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And on  
persons con-  
victed for  
hunting, &c.

ceal the true and real mark, or whether it were marked or not, shall be deemed and adjudged a hog stealer within the purview of this act, and shall suffer accordingly.

**VII.** AND, to prevent the abusing, hurting or worrying of any stock of hogs, cattle or horses, with dogs, or otherwise, BE IT ENACTED, That if any person or persons whatsoever, that have been convicted of any of the crimes aforesaid, or other crimes, or that shall be of evil fame, or a vagrant, or dissolute liver, that shall shoot, kill or hunt, or be seen to carry a gun, upon any person's land, whereon there shall be a seated plantation, without the owner's leave, having been once before warned, shall forfeit and pay one thousand pounds of tobacco, one half to our sovereign lord the king, his heirs and successors, the other half to the party grieved, or those who shall sue for the same, to be recovered in any county court of this province by action of debt, bill, plaint or information, wherein no essoin, protection or wager of law to be allowed.

Criminals to  
pay their  
own fees, by  
servitude, if  
not other-  
wise capa-  
ble.

**VIII.** AND BE IT FURTHER ENACTED, *by the authority, advice and consent aforesaid*, That from henceforth no sheriff, gaoler, clerk, crier, or other officer, shall charge either their own county, to which they belong, or the public, with any fees for any criminal committed to the charge of the said sheriff or gaoler, having sufficient estate in this province wherewith to pay the same, or being capable to pay the same by servitude, but that such criminals, being discharged by order and due course of law, shall pay their own fees to the sheriff, gaoler, clerk and crier, and other officers, being such as they may demand according to law, either out of his estate, or by servitude, or otherwise.

Vide 1781, ch 11.

Proviso.

**IX.** PROVIDED ALWAYS, That this act shall not extend to malefactors that are executed, or to such other persons who are banished, having no estate in this province, or to servants criminals, for whom the county shall pay such fees as are due by the acts of assembly to the sheriff, gaoler, clerk, crier, or other officers of such court where such criminal shall be convicted.

Officers fees,  
how to be  
paid.

**X.** AND BE IT FURTHER ENACTED, *by the authority aforesaid*, That all officers' fees due by law from (a) criminal servants, shall be paid by the county where the facts shall be committed ; and that all and every such criminal servants for

(a) By the act of 1727, ch. 2, all fees due on the prosecution of imported servants, were to be paid by the masters, &c. of such servants, and not by the public or county ; and the owners (unless in case of conviction and execution for capital offences,) to have recompence for such fees, by such servitude of the servants (not exceeding three years) as should be thought reasonable by the county court, &c. By May, 1766, ch. 6, the legal fees on the prosecution of any negro, or other slave, in any county court, (whether convicted or acquitted,) shall be paid by and assessed in the levy of the respective counties where prosecuted.

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whom the county shall pay the fees due by law to such officers as aforesaid, shall, after the end and expiration of their time of servitude to their master or mistress, satisfy and pay unto the commissioners of the county who paid such fees for them to the sheriff, and other officers as aforesaid, for the use of the county, such sums as they have paid as aforesaid: and the several commissioners of the several counties shall, and are hereby empowered to make inquisition after all such servants, criminals, for whom the county hath defrayed the said fees to the sheriff, and other officers as aforesaid; and they, the said commissioners, according to their best discretion, shall cause to be entered rules for the servants to make such reasonable satisfaction to the county as they shall think fit, and in such manner as they shall find convenient.

**XI. AND**, for the better security of the county which shall pay such fees for such criminal servants as aforesaid, **BE IT ENACTED, by the authority aforesaid,** That the master, mistress or dame of all such servants, be and are hereby enjoined and required, at the expiration of the time of such servant's servitude to such master, or mistress or dame, to render and deliver up to the sheriff of the county, for the use of the county aforesaid, such servants criminals as aforesaid, under the penalties to such master, mistress or dame, refusing or neglecting to deliver up such servants as aforesaid, of making satisfaction to the county for all such fees as by the county aforesaid have been paid for such criminal as aforesaid; and such sheriff to whom such criminal servant shall be delivered as aforesaid, is hereby required to receive and secure such servants criminals as aforesaid, so that he be and appear at the then next county court to be held for the said county, to be disposed of as the said court shall consider.

Masters, &c.  
to deliver up  
servants,  
criminals un-  
der penalty  
of paying the  
fees, paid  
for the  
criminal by  
the county.

Vide list of acts respecting crimes and punishments, 1692, ch. 16.

### CHAP. XXVII.

#### An ACT for the punishing the offences of adultery and fornication.

Other acts: 1749, ch. 12.—Nov. 1781, ch. 13—1785, ch. 47.—1796, ch. 34.

**B**E IT ENACTED, by the King's most excellent majesty, by and with the advice and consent of his majesty's Governor, Council and Assembly of this province, and the authority of the same, That after the end of this session of assembly, whosoever shall, directly or indirectly, entertain, provide for, or cause to be entertained or provided for, any lewd woman or women, or that shall frequent her or their company, after that admonition to him or them be given by the minister, or the vestry, or the churchwarden or churchwardens of the parish where such person or persons shall inhabit, shall be adjudged

Certain per-  
sons to be  
adjudged  
fornicators,  
&c.



THE  
*Statutes at Large*  
OF  
PENNSYLVANIA  
FROM  
1682 to 1801

COMPILED UNDER THE  
AUTHORITY OF THE ACT OF MAY 19 1887 BY  
JAMES T MITCHELL AND HENRY FLANDERS  
COMMISSIONERS

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VOLUME III  
1712 to 1724

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CLARENCE M BUSCH  
STATE PRINTER OF PENNSYLVANIA  
1896

five shillings, one-half to the use of the poor of the said city, and the other half to the use of him or them who shall prosecute and cause such offender to be as aforesaid convicted: which forfeitures shall be levied by distress and sale of the offender's goods as aforesaid; and for want of such distress, if the offender refuse to pay the said forfeiture, he shall be committed to prison for every such offense the space of two days, without bail or mainprise.

Provided, That such conviction be made within ten days after such offense committed. And if such offender be a negro or Indian slave, he shall, instead of imprisonment, be publicly whipped, at the discretion of the magistrate.

Passed August 26, 1721. Apparently never considered by the Crown, but allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix IV, Section II, and Hill's letter and Fane's opinion in Appendix V, Section I, and the Acts of Assembly passed August 14, 1725, Chapter 237; February 6, 1730-31, Chapter 322; March 29, 1735-36, Chapter 338; February 9, 1750-51, Chapter 388; March 26, 1762, Chapter 481; March 9, 1771, Chapter 624; March 21, 1772, Chapter 648; December 24, 1774, Chapter 705; November 25, 1779, Chapter 867; March 28, 1787, Chapter 1279; September 29, 1787, Chapter 1318; April 13, 1791, Chapter 1573; April 11, 1793, Chapter 1698; April 18, 1794, Chapter 1743; April 18, 1795, Chapter 1857; March 29, 1802, P. L. 127; March 29, 1803, P. L. 542; April 4, 1807, P. L. 132; March 30, 1812, P. L. 182; March 14, 1818, P. L. 189; March 29, 1824, P. L. 152; February 10, 1832, P. L. 64; June 13, 1836, P. L. 551; March 16, 1847, P. L. 473; April 11, 1848, P. L. 504; April 8, 1851, P. L. 382; April 14, 1851, P. L. 549; March 20, 1856, P. L. 137; May 5, 1864, P. L. 841; March 23, 1865, P. L. 744; March 12, 1866, P. L. 160; June 2, 1870, P. L. 1316; April 17, 1878, P. L. 23; June 10, 1881, P. L. 111; June 11, 1885, P. L. 111.

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## CHAPTER CCXLVI.

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### AN ACT TO PREVENT THE KILLING OF DEER OUT OF SEASON, AND AGAINST CARRYING OF GUNS OR HUNTING BY PERSONS NOT QUALIFIED.

[Section I.] Be it enacted by Sir William Keith, Baronet, Governor of the Province of Pennsylvania, &c., by and with the advice and consent of the freemen of the said Province in General Assembly met, and by the authority of the same, That if

1721] *The Statutes at Large of Pennsylvania.*

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any person or persons, after the publication hereof, shall kill or destroy any buck, doe, fawn, or any other sort of deer whatsoever, at any other time or season except only betwixt the first day of July and first day of January, he shall forfeit and pay for every such buck, doe, fawn, or other deer so killed or destroyed as aforesaid, the sum of twenty shillings; one-half thereof to the poor of the township where the offense is committed, and the other half to him who shall inform or sue for the same, before any justice of the peace of this province, who is hereby empowered and authorized to hear and determine the same, and to convict the offender, by the oath or affirmation of one or more witnesses.

Provided, That such conviction be made within two months after such offense is committed.

And for the better conviction of offenders against this act:

[Section II.] Be it enacted, That every person in whose custody shall be found, or who shall expose to sale any green deer skins, fresh venison, or deer's flesh, at any other time of the year than what is before excepted, and shall be convicted thereof as aforesaid, shall be deemed guilty of the said offense. And that the same green deer skins, fresh venison or deer's flesh so found as aforesaid shall be held to be good evidence in the cases aforesaid.

Provided always, That nothing contained in this act shall be deemed or construed to extend to any free native Indians carrying guns, hunting, killing, and having in their custody any skins or deer's flesh for their own use, anything in this act to the contrary notwithstanding.

And whereas divers abuses, damages and inconveniences have arose by persons carrying guns and presuming to hunt on other people's lands, for remedy whereof for the future:

[Section III.] Be it enacted by the authority aforesaid, That if any person or persons shall presume, at any time after the sixteenth day of November, in this present year one thousand seven hundred and twenty-one, to carry any gun or hunt on the improved or inclosed lands of any plantation other than his own, unless he have license or permission from the owner of such lands or plantation, and shall be thereof convicted, either

upon view of any justice of the peace within this province, or by the oath or affirmation of any one or more witnesses, before any justice of the peace, he shall for every such offense forfeit the sum of ten shillings. And if any person whatsoever, who is not owner of fifty acres of land and otherwise qualified in the same manner as persons are or ought to be by the laws of this province for electing of members to serve in assembly, shall, at any time after the said sixteenth day of November, carry any gun, or hunt in the woods or uninclosed lands, without license or permission obtained from the owner or owners of such lands, and shall be thereof convicted in manner aforesaid, such offender shall forfeit and pay the sum of five shillings for every such offense.

[Section IV.] And be it further enacted by the authority aforesaid, That no person whatsoever shall presume to shoot at or kill with a firearm any pigeon, dove, partridge, or other fowl in the open streets of the city of Philadelphia, or in the gardens, orchards and inclosures adjoining upon and belonging to any of the dwelling houses within the limits of the said city, upon the forfeiture of five shillings for every such offense, to be convicted in manner aforesaid.

All which penalties and forfeitures shall go, one moiety to the informer, and the other to the poor of the township where such offense is committed. But if convicted upon view of a justice of the peace, the whole forfeiture shall be to the use of the poor. And if the offender refuse to pay, the same shall be levied by distress and sale of the offender's goods, by warrant under the hand and seal of the justice before whom such offender shall be convicted, returning the overplus, if any be, the charge of distraining being first deducted. And for want of such distress he shall be committed to prison, where the forfeiture is twenty shillings, for the space of ten days; and, where the forfeiture is ten shillings, for the space of five days; and, if the forfeiture is five shillings, for the space of two days, without bail or mainprise.

Passed August 26, 1721. Apparently never considered by the Crown, but allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix IV, Section II, and Hill's letter and Fane's opinion in Appendix V, Section I, and

1721] *The Statutes at Large of Pennsylvania.*

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the Acts of Assembly passed February 6, 1730-31, Chapter 323; January 27, 1749-50, Chapter 383. Repealed by Act passed April 9, 1760, Chapter 456.

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## CHAPTER CCXLVII.

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### AN ACT FOR THE WELL TANNING AND CURRYING OF LEATHER, AND REGULATING OF CORDWAINERS, AND OTHER ARTIFICERS, USING AND OCCUPYING LEATHER WITHIN THIS PROVINCE.

Whereas very great abuses have been committed by tanners, cutters and other persons, using and working of leather within this government, and the prices of leather become very exorbitant and burdensome to the people of this province: To the intent therefore that a reasonable and indifferent course for the true and well tanning, currying and working of leather, may be from henceforth established and appointed, and yet the persons using the several crafts and mysteries aforesaid may not be more strictly bound or limited than the necessary regard of the welfare and general commodity of all His Majesty's subjects within the said province requireth:

[Section I.] Be it enacted by Sir William Keith, Baronet, Governor of the Province of Pennsylvania, &c., by and with the advice and consent of the freemen of the said Province in General Assembly met, and by the authority of the same, That from and after the twenty-fifth day of November next, in this present year of our Lord one thousand seven hundred and twenty-one, if any person or persons using, or which shall use, the mystery or faculty of tanning, or any person or persons importing, or who shall import, any leather into this province, shall at any time or times hereafter offer or put to sale any kind of leather which shall be insufficiently and not thoroughly tanned, so that the same, by the triers of leather lawfully appointed by virtue of this present act, for the time being, shall be found to be insufficiently not thoroughly tanned, that then all and every such person and persons so offending shall forfeit such leather, as shall be found insufficiently and not thoroughly tanned, unless the party importing the same will give



C H A P. XXXV.

*An ACT to prevent Killing of Deer out of Season, and against Carrying of Guns and Hunting by Persons not Qualified.*

Any Person killing Deer in the Time by this Act dit-allowed, to forfeit 30s. &c.

Sect. 1. BE IT ENACTED by the Governor, Council and General Assembly, AND IT IS HEREBY ENACTED by the Authority of the same, That if any Person or Persons, after the Publication hereof, shall kill or destroy any wild Buck, Doe or Fawn, or any other Sort of Deer whatsoever, at any Time in the Months of *January, February, March, April, May or June*, every such Person shall, for every such Offence, forfeit and pay the Sum of *Thirty Shillings*, for every such Buck, Doe or Fawn, or other Deer, so killed or destroyed as aforesaid, contrary to the true Intent and Meaning of this Act; one half thereof to the Poor of the Township or Precinct where the Offence is committed, and the other half to him who shall Inform or Sue for the same before any Justice of the Peace of this Province, who is hereby empowered and authorized to hear and determine the same, and to convict the Offender by the Oath or Affirmation of one or more Witness. Provided That ~~such~~ Conviction be made within two Months after the Offence committed.

Sale of green Skins to amount to a Conviction, &c.

2. AND for the better Convicting of Offenders against this Act, BE IT ENACTED by the Authority aforesaid, That every Person in whose Custody shall be found, or who shall expose to Sale, any green Deer Skins, fresh Venison or Deer's Flesh, at any Time in any of the Months of *January, February, March, April, May or June*, aforesaid, and shall be convicted thereof, as aforesaid, shall be deemed Guilty of the said Offence.

Not to extend to hinder killing them in Corn Fields, or by Indians

3. PROVIDED ALWAYS, That nothing contained in this Act, shall be deemed or construed to hinder any Person from killing any kind of Deer, within his Fields where Corn is growing, at any Time in the Month of *January*, nor to extend to any Free Native Indians carrying Guns, hunting, killing or having in their Custody any Skins or Deer's Flesh for their own Use: any Thing in this Act to the con-

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4. And whereas divers abuses have been committed, and great Damages and Inconveniences arisen by Persons carrying of Guns and presuming to hunt on other Peoples Land; for Remedy whereof for the future, BE IT ENACTED by the Authority aforesaid, That if any Person or Persons shall presume, at any Time after the Publication hereof, to carry any Gun, or hunt on the improved or inclosed Lands in any Plantation, other than his own, unless he have Licence or Permission from the Owner of such Lands or Plantation, and shall be thereof convicted, either upon the View of any Justice of the Peace within this Province, or by the Oath or Affirmation of any one or more Witnesses, before any Justice of the Peace, he shall, for every such Offence forfeit the Sum of *Fifteen Shillings*, with Costs attending such Conviction. And if any Person whatsoever, who is not Owner of one Hundred Acres of Land, or otherwise qualified, in the same Manner as Persons are or ought to be for electing Representatives to serve in General Assembly, shall at any Time after the Publication hereof, carry any Gun, or hunt in the Woods or uninclosed Lands, without Licence or Permission obtained from the Owner or Owners of such Lands, and shall be thereof convicted, in Manner aforesaid, such Offender shall forfeit and pay the Sum of *Ten Shillings*, with Costs as aforesaid, for every such Offence. All which Penalties and Forfeitures shall go one Moiety to the Informer, and the other to the Poor of the Township or Precinct where such Offence is committed; but if convicted upon View of a Justice of the Peace, the whole Forfeiture shall be to the Use of the Poor. And if the Offender refuse to pay the same, with Costs, as aforesaid, shall be levied on by Distress and Sale of the Offender's Goods, by Warrant under the Hand and Seal of the Justice before whom such Offender shall be convicted, returning the over-plus, if any be, the Charge of Distressing being first deducted. And for want of Effects whereon to make such Distress, every Person so Offending, contrary to the true Intent and Meaning of this Act, shall be committed to Prison, when the Forfeiture is *Thirty Shillings*, for the Space of Fifteen Days; and when the Forfeiture is *Fifteen Shillings*, for the Space of Eight Days; and when the Forfeiture is *Ten Shillings*, for the Space of Five Days, without Bail or Mainprize.

5. AND BE IT ENACTED by the Authority aforesaid, That every Justice of the Peace, before whom any Person or Persons is convicted of having committed any of the

No Person to  
carry a Gun or  
hunt on Land  
inclosed but by  
assent of Owners  
&c.

Nor on Lands  
Unclosed, un-  
less freeholders  
&c.

Forfeitures how  
to be applied,  
and how to be  
levied &c.

Want of Effects  
to be committed  
to Gaol.

## The Eighth of GEORGE I.

before him; and in Case of the want of Effects whereon to make Distress, to make out his Mittimus to commit such Offender to the Gaol of the County in which such Conviction is made; and the Sheriff, Under-Sheriff, or Gaol-keeper, is hereby directed and required to keep the said Offender in close Gaol, according to the Direction of this Act, and Tenor of such Mittimus to such Sheriff, Under-Sheriff, or Gaoler directed.

Sheriff refusing  
etc. to receive  
the party, to  
forfeit £1. etc.

And every Justice of the Peace neglecting or refusing to issue such Warrant, or make such Mittimus; and every Sheriff, or Under-Sheriff or Gaol-keeper, who shall not receive such Offender, and keep him in close Gaol, according to the true Intent and Meaning of this Act, shall, for every such neglect or refusal, or undue discharge of his Office in the Premises, forfeit the Sum of *Six Pounds*, to be recovered in any Court of Record within this Province, in which there shall be no Essoyn or Protection; the one half to such Person as shall sue for and prosecute the same to Effect; the other half to the King's Majesty, His Heirs and Successors, for and towards the Support of the Government of this Province.

Not to extend  
to Negros, &c.  
but they to be  
whipped if con-  
victed, &c.

6. AND IT IS ALSO FURTHER ENACTED by the Authority aforesaid, That this Act, nor any Part thereof, shall be construed to extend to Negro, Indian or Mulatto Slaves, so as to commit them to Prison; during the Time in this Act limited, in Case they should be guilty of any of the Offences in this Act prohibited; but that then, and in such Case, such Indian, Negro or Mulatto Slave, killing and destroying any Deer as aforesaid; or carrying or hunting with any Gun, without Licence from his Master, shall, at the publick Whipping-Post, on the bare back, be Whipp'd, not exceeding Twenty Lashes, for every such Offence, for which Whipping the Master shall pay to the Whipper the Sum of *Three Shillings*, and pay no greater or other Cost whatsoever; any Thing in this Act to the contrary hereof in any wise notwithstanding.



# L A W S

O F

## N E W - Y O R K,

F R O M

The Year 1691, to 1773 inclusive.

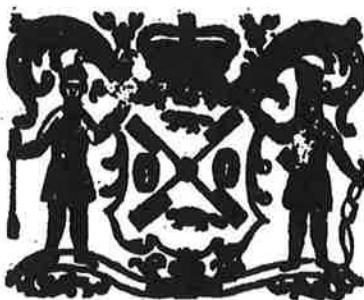
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PUBLISHED ACCORDING TO AN ACT OF THE  
GENERAL ASSEMBLY.

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VOLUME THE SECOND.

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QUUM LEGES ALIE SUPER ALIAS ACCUMULATÆ, EAS DE INTEGRO  
RETRACTARE, ET IN CORPUS SANUM ET HABILE REDIGIRE, EX  
USU SIT.

BACON.

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N E W - Y O R K:

Printed by HUGH GAINZ, Printer to the King's Most Excellent Majesty in the  
Province of New-York,  
MDCCCLXXIV.

CADWALLADER GOLDEN, Esq; Lieut. Governor. 441

also be necessary to annex to the said Certificate, an Affidavit of the following Tenor, sworn to before any Magistrate in the City of New-York: A. B. being duly sworn, deposes and saith, That he certainly knows [or has Affidavits to prove, as the Case may be] that the Hemp mentioned in the above, or the annexed Certificate, was all raised after the first of March, One thousand seven hundred and sixty-four, in the Colony of New-York, in the County of [here mentioning the County] and that no Bounty has yet been paid for it, or any Part of it, to the best of his Knowledge and Belief: And further saith not. The Inspectors above mentioned, before they enter on the Execution of their Office, shall take an Oath, faithfully to discharge the Duty of Inspectors, according to the Meaning of this Act.

[The Rest of this A<sup>t</sup> is Obsolete.]

4th GEORGE III.  
A. D. 1763.

Form of Affidavit  
to be sworn before  
the Bounty shall be  
paid.

C H A P. MCCXXIX.

An ACT to regulate the gauging of Wine, Rum, and other Spirituous Liquors, Molasses, and other Purposes therein mentioned.

Pas'd the 20th December, 1763.

Expired 1st Jan-  
uary, 1771.

C H A P. MCCXXX.

An ACT to lay a Duty of Tonnage on Vessels for defraying the Expence of the Light-House on Sandy-Hook.

Pas'd the 20th December, 1763.

Contained Chap.  
1277.  
Expired 1st Jan-  
uary, 1772.  
Provided for Ch.  
1515.

C H A P. MCCXXXI.

An ACT empowering John Cruger, Robert R. Livingston, Philip Livingston, Leonard Lispenard, and William Bayard, Esquires, to receive from the Colony of Pennsylvania, the Sum of Four Thousand Three Hundred and Sixty-eight Pounds Two Shillings and Six-pence, Sterling, overpaid to the said Colony, out of the Parliamentary Grant for the Service of the Year One thousand seven hundred and sixty.

Pas'd the 20th December, 1763.

This Money being  
received and paid  
into the Treasury,  
the A<sup>t</sup> is therefore  
Obsolete.

C H A P. MCCXXXII.

An ACT to continue an A<sup>t</sup>, entitled, An ACT for the Relief of Insolvent Debtors, and for repealing the A<sup>t</sup>s therein mentioned, with an Addition thereto.

Pas'd the 20th December, 1763.

See Chap. 1148.  
Continued Ch. 1309.

C H A P. MCCXXXIII.

An ACT to prevent hunting with Fire-Arms in the City of New-York, and the Liberties thereof.

Pas'd the 20th December, 1763.

WHEREAS it has long been the Practice of great Numbers of idle and disorderly Persons in and about the City of New-York, and the Liberties thereof, to hunt with Fire-Arms, and to tread down the Grass, and Corn and other Grain standing and growing in the Fields and Inclosures there, to the great Danger of the Lives of his Majesty's Subjects, the Ruin and Destruction of the most valuable Improvements, the grievous Injury of the Proprietors, and the great Discouragement of their Industry.

Preamble.

4th G B R O R G E III.  
A. D. 1763.

Penalty for enter-  
ing with Fire-Arms  
into any inclosed  
Land within this  
City or its Liberties.

Or passing thro' Or-  
chards, &c. without  
Arms.

Before whom Offen-  
ders to be convicted.

Forfeitures how to  
be recovered and  
applied.

Offenders to be  
imprisoned if the  
Fines are not paid.

Proviso.

I. In order therefore the more effectually to punish and prevent such Abuses as foresaid, Be it Enacted by his Honour the Lieutenant Governor, the Council, and the General Assembly, and it is hereby Enacted by the Authority of the same, That if any Person or Persons whatsoever, other than the Owner, Proprietor, or Possessor, or his or her white Servant or Servants, do and shall, at any Time or Times from and after the Publication of this Act, carry, shoot, or discharge any Musket, Fowling-Piece, or other Fire-Arm whatsoever, into, upon, or through any Orchard, Garden, Corn-Field, or other inclosed Land whatsoever, within the City of New-York, or the Liberties thereof, without Licence in Writing first had and obtained for that Purpose from such Owner, Proprietor, or Possessor of such Orchard, Garden, Corn-Field, or other inclosed Land ; or shall enter into, or pass through any Orchard, Garden, Corn-Field or Mowing-Ground, in any of the aforesaid Places without Fire-Arms, and thereof shall be convicted before any Member of his Majesty's Council, either of the Justices of the Supreme Court, or the Mayor, Recorder, or any one of the Aldermen of the City of New-York, for the Time being, by the Oath of one credible Witness, or by Confession of the Party offending, he, she, or they so offending, shall severally forfeit and pay for every such Offence, the Sum of Twenty Shillings ; to be recovered and applied in the Manner herein after directed.

II. And be it further Enacted by the Authority aforesaid, That every Fine and Forfeiture, which shall accrue upon or by Virtue of this Act, shall be recovered, with reasonable Costs, not exceeding Ten Shillings, by any Person or Persons who shall and will sue, and prosecute for the same ; One Half of such Fine and Forfeiture when recovered and received, to be applied to his, her, or their own Use ; and the other Half thereof to be paid by him, her, or them, to the Church Wardens of the said City for the Time being, for the Use of the Poor thereof.

III. And be it further Enacted by the Authority aforesaid, That every Offender, who shall incur any such Fine or Forfeiture as aforesaid, shall, by Warrant under the Hand and Seal of any Member of his Majesty's Council, Justice of the Supreme Court, or the Mayor, Recorder, or Aldermen before whom he or they shall be convicted, stand and be committed to the Common Goal of the said City, there to remain for the Space of three Months, unless the Fine or Forfeiture, with Costs, be sooner paid. Provided always, That the Members of his Majesty's Council, and the Justices of the Supreme Court, shall be at Liberty to act in the Execution of this Law or not, as to them shall seem fitting.

C H A P. MCCXXXIV.

Expired 1st Ja-  
nuary, 1770.  
Provided for Ch.  
1441.

An ACT to establish the Rates to be taken for Wharfage of Ships and other  
Vessels using the Wharfs within the Limits therein mentioned,  
Pass'd the 20th December, 1763.

C H A P. MCCXXXV.

Obsolete.

An ACT to raise, levy, and collect, the Sum of Sixty-one Pounds Nineteen  
Shillings, in the City and County of New-York, for Services performed  
by the Coroner of the said City and County.

Pass'd the 20th December, 1763.

C H A P.

Laws Of New-York, From The Year 1691, To 1773 Inclusive. Vol. 2, Hugh Gaine,  
MDCCLXXIV. The Making of Modern Law: Primary Sources, link.gale.  
com/apps/doc/DT0103403799/MMLP?u=efgssf&sid=bookmark-  
MMLP&xid=d8a580f7&pg=22.



# At a GENERAL ASSEMBLY held at

Burlington from the Twentieth Day of November to the Twenty-first Day of December 1771, in the Twelfth Year of the Reign of King George the Third, the following Laws were passed.

SESSION THE FOURTH.

C H A P. DXXXIX.

*An ACT to continue and amend an Act, entitled, An Act for better settling and regulating the Militia of this Colony of New-Jersey; for the repelling Invasions, and suppressing Insurrections and Rebellions.\**

Passed Dec. 21, 1771.

WHEREAS the Act passed in the Nineteenth Year of the Reign Preamble. of our late Sovereign Lord King George the Second, entitled, *An Act for better settling and regulating the Militia of this Colony of New-Jersey; for the repelling Invasions, and suppressing Insurrections and Rebellions,* will expire at the End of this Session of Assembly;

Sect. 1. BE IT ENACTED by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same, That the said Act, entitled, *An Act for better settling and regulating the Militia of this Colony of New-Jersey; for the repelling Invasions, and suppressing Insurrections and Rebellions,\** shall be, and hereby is continued, and every Article and Clause therein contained shall be and remain in full Force, from the Publication hereof, to the first Day of May which will be in the Year of our Lord One Thousand Seven Hundred and Seventy-seven, and from thence to the End of the next Session of the General Assembly of this Colony, and no longer.

2. AND WHEREAS it has been a Custom of late, in some of the Counties of this Colony, to choose the Militia Officers Constables; for preventing the same for the Future, BE IT ENACTED by the Authority aforesaid, That, during the Continuance of this Act, it shall not be lawful for any Court of General Quarter-Sessions of the Peace, or for any of the Inhabitants of this Colony, at their annual Town-meetings, to appoint or choose any commissioned Officer, while in Commission, to be a Constable; any Law, Usage or Custom to the contrary notwithstanding.

Commissioned Officers  
not to be chosen Constables.

C H A P. DXL.

*An ACT for the Preservation of Deer and other Game, and to prevent trespassing with Guns.*

Passed Dec. 21, 1771.

ing with Guns, Traps and Dogs, have, by Experience, been found insufficient to answer the salutary Purposes thereby intended ; Therefore,

No Person to  
carry a Gun  
on Lands not  
his own, ex-  
cept, &c.

Penalty.

*Sect. 1. BE IT ENACTED by the Governor, Council and General Assembly of this Colony of New-Jersey, and it is hereby Enacted by the Authority of the same, That if any Person or Persons shall presume, at any Time after the Publication hereof, to carry any Gun on any Lands not his own, and for which the Owner pays Taxes, or is in his lawful Possession, unless he hath License or Permission in Writing from the Owner or Owners or legal Possessor, every such Person so offending, and convicted thereof, either upon the View of any Justice of the Peace within this Colony, or by the Oath or Affirmation of one or more Witnesses, before any Justice of the Peace of either of the Counties, Cities or Towns-corporate of this Colony, in which the Offender or Offenders may be taken or reside, he, she or they, shall, for every such Offence, forfeit and pay to the Owner of the Soil, or his Tenant in Possession, the Sum of *Forty Shillings*, with Costs of Suit ; which Forfeiture shall and may be sued for and recovered by the Owner of the Soil, or Tenant in Possession, before any Justice of the Peace in this Colony, for the Use of such Owner or Tenant in Possession.*

No Person to  
drive Deer or  
other Game,  
except, &c.

Penalty.

*2. AND BE IT ENACTED by the Authority aforesaid, That if any Person shall presume, at any Time after the Publication of this Act, to hunt or watch for Deer with a Gun, or set in any Dog or Dogs to drive Deer, or any other Game, on any Lands not his own, and for which the Owner or Possessor pays Taxes, or is in his lawful Possession, unless he hath License or Permission in Writing from such Owner or Owners or legal Possessor ; every such Person so offending, and being convicted thereof in Manner aforesaid, shall, for every such Offence, forfeit and pay to the Owner of the Soil, or Tenant in Possession, the Sum of *Forty Shillings*, with Costs of Suit ; provided, that nothing herein contained shall be construed to extend to prevent any Person carrying a Gun upon the King's Highway in this Colony.*

Penalty on  
Non-Resi-  
dents.

*3. AND BE IT FURTHER ENACTED by the Authority aforesaid, That if the Person or Persons offending against this Act be Non-Residents of this Colony, he or they shall forfeit and pay for every such Offence *Five Pounds*, and shall forfeit his or their Gun or Guns to any Person or Persons who shall inform and prosecute the same to Effect, before any Justice of the Peace in any County of this Colony, wherein the Offender or Offenders may be taken or apprehended.*

Penalty for  
killing, &c.  
Deer out of  
Season.

*4. AND BE IT ENACTED by the Authority aforesaid, That if any Person or Persons shall kill, destroy, hunt or take any Doe, Buck, Fawn, or any Sort of Deer whatsoever, at any other Time or Season, except only between the first Day of *September* and the first Day of *January* yearly and every Year, he, she or they so offending, shall forfeit and pay the Sum of *Forty Shillings* for each and every Offence ; to be sued for, recovered and applied as hereafter is directed.*

What shall

*5. AND, for the better and more effectual convicting of Offenders against this Act, BE IT ENACTED by the Authority aforesaid, That any*

shall expose to Sale, any green Deerskins, or fresh Venison killed at any Time after the first Day of *January*, and before the first Day of *September* aforesaid, and shall be thereof convicted by the Oath or Affirmation of one or more credible Witnesses, shall be deemed guilty of offending against this Act, and be subjected to the Penalties of killing Deer out of Season.

6. AND WHEREAS great Numbers of idle and disorderly Persons make a Practice of hunting on the waste and unimproved Lands in this Colony, whereby their Families are neglected, and the Publick is prejudiced by the Loss of their Labour, BE IT THEREFORE ENACTED by the Authority aforesaid, That, from and after the first Day of *January* next, no Person or Persons whatsoever (except such Persons as are by the Laws of this Colony qualified to vote for Representatives in General Assembly, in Right of their Freeholds, and their Sons being of the Age of eighteen Years or upwards, and living with their Parent or Parents, or being Freeholders) shall, on any Pretence whatever, hunt on the waste and unimproved Lands in this Colony ; and if any Person or Persons, not qualified as aforesaid, shall presume to hunt as aforesaid, he or they so offending shall forfeit and pay, for every such Offence; the Sum of *Twenty Shillings*; to be recovered by Action of Debt, with Costs, by any Person who shall sue for the same ; to be applied one Half to the Prosecutor, and the other Half to the Use of the Poor of the Township or Precinct where the Fact was committed.

Who may  
hunt on un-  
improved  
Lands.

Penalty on  
Offenders.

7. AND BE IT ENACTED by the Authority aforesaid, That if any Person or Persons within this Colony shall set any Trap or other Device whatsoever, larger than what is usually and commonly set for Foxes and Muskrats, such Person, setting such Trap or other Device, shall pay the Sum of *Five Pounds*, and forfeit the Trap or other Device, shall suffer three Months Imprisonment, and shall also be liable to make good all Damages any Person shall sustain by setting such Trap or other Device, and the Owner of such Trap or other Device, or Person to whom it was lent, shall be esteemed the Setter thereof, unless it shall be proved, on Oath or Affirmation, what other Person set the same, or that such Trap or other Device was lost by said Owner or Person to whom it was lent, and absolutely out of his Power ; and if the Setter of the Trap or other Device be a Slave, and it be his own voluntary Act, he shall (unless the Master or Mistress shall pay the Fine) in Lieu of such Fine, be publickly whipped with thirty Lashes, and committed till the Costs are paid ; and that the said Trap or other Device shall be broken and destroyed in the View and Presence of the Justice of the Peace before whom they are brought : And if any Person or Persons shall have Possession of, or there shall be found in his or their House, any Trap or Traps, Device or Devices whatsoever, for taking of Deer, such Person or Persons shall be subjected to the same Penalty as if he or they were convicted of setting such Trap or Traps, or other Device.

Penalty on  
setting Traps,  
&c.

Penalty on a  
Slave setting  
such Trap,  
&c.

Penalty on  
keeping such  
Trap, &c.

8. AND, for encouraging the Destruction of such Traps and Devices, BE IT ENACTED by the Authority aforesaid, That if any Person shall seize any Trap or other Device for the taking Deer, and shall car-

Reward for  
seizing a  
Trap, &c.

an Order from the said Magistrate to the Collector of such County, to pay him the Sum of *Ten Shillings*, out of any Money in his Hands raised for the Use of the County; which Sums shall be allowed to such Collector on the Settlement of his Accounts.

*Penalty on a Smith making or mending such Trap, &c.*

9. AND BE IT FURTHER ENACTED by the Authority aforesaid, That every Smith or other Artificer, who shall hereafter make or mend any such Trap or other Device aforesaid, he shall forfeit and pay the Sum of *Forty Shillings*; and the Person carrying such Trap or other Device to the Artificer aforesaid, shall forfeit and pay the Sum of *Twenty Shillings*. And every Person who shall bring into this Colony any such Trap or Device as aforesaid shall forfeit and pay the Sum of *Forty Shillings*. And if the Person who shall carry the same to the Smith or Artificer shall be so poor as that he shall not be able to pay the Forfeiture aforesaid, he shall be committed to the common Gaol, until he shall prove who is Owner of such Trap or Device, or who delivered the same to him; and in such Case the Forfeiture aforesaid shall be levied on the Goods, or in Failure of Goods, on the Body of the Owner of such Trap or Device, or the Person who delivered the same to the Pauper, and the Trap or Device shall be forfeited and destroyed.

*Penalty for setting loaded Guns.*

10. AND WHEREAS a most dangerous Method of setting Guns has too much prevailed in this Province, BE IT ENACTED by the Authority aforesaid, That if any Person or Persons within this Colony shall presume to set any loaded Gun in such Manner as that the same shall be intended to go off or discharge itself, or be discharged by any String, Rope, or other Contrivance, such Person or Persons shall forfeit and pay the Sum of *Six Pounds*; and on Non-payment thereof shall be committed to the common Gaol of the County for six Months.

*Application of Penalties.*

11. AND BE IT FURTHER ENACTED by the Authority aforesaid, That the Fines and Forfeitures in this Act expressed, and not particularly appropriated, shall be paid, one Half to the Prosecutor, and the other Half to and for the Use of the Poor of the Town, Precinct or District, where the Offence is committed; and that the Execution of this Act, and every Part thereof, shall be within the Cognizance and Jurisdiction of any one Magistrate or Justice of the Peace, without any Reference to the Act for Trial of small Causes in this Colony.

*Jurisdiction given to one Magistrate.*

*This Act not to affect Parks.*

12. AND BE IT ENACTED, That nothing in this Law shall be construed to extend to restrain the Owners of Parks, or of tame Deer, from killing, hunting or driving their own Deer.

*Penalty on Magistrate neglecting his Duty.*

13. AND BE IT ALSO ENACTED by the Authority aforesaid, That if any Justice of the Peace or other Magistrate, within this Province, shall have Information of any Persons offending against this Act, in killing Deer out of Season, setting and making Traps, Non-Residents killing Deer, and Persons setting of Guns, and shall not prosecute the same to Effect within two Months after such Information, he shall forfeit and pay the Sum or Sums to which the Offender against this Act would have been liable.

14. AND BE IT ENACTED by the Authority aforesaid, That the Justices at every Quarter-Sessions of the Peace shall cause this Act to be publickly read; and give in Charge to the Grand-Jury to particularly inquire and present all Persons for killing Deer out of Season, setting or making Traps, and all Non-Residents killing, destroying, hunting and taking any Sort of Deer, and all Persons setting of Guns; and, upon Conviction for either of the said Offences, the said Justices shall set and impose the Fines and Penalties herein before-mentioned, with Costs of Suit.

This Act to  
be published  
and executed.

15. AND BE IT ENACTED by the Authority aforesaid, That if any Person or Persons whatsoever, whether the Accused or Accuser, Plaintiff or Defendant, shall think themselves aggrieved by any of the Judgments given by the said Justices or other Magistrates, for any Suit commenced by Virtue of this Act; then it shall and may be lawful for such Person or Persons to appeal, on giving sufficient Security for the Forfeitures and Costs, to the next Court of General Quarter-Sessions, held for such County where such Judgment shall be given; which Court is hereby empowered to hear and determine all and every such Appeal or Appeals.

16. AND BE IT ENACTED by the Authority aforesaid, That if any Person or Persons, within this Colony, shall, after the Publication of this Act, watch with a Gun, on any uninclosed Land within two Hundred Yards of any Road or Path, in the Night Time, whether the said Road is laid out by Law or not, or shall stand or station him or themselves upon or within two Hundred Yards of any Road as aforesaid, for shooting at Deer driven by Dogs, he or they so offending, shall, on Conviction, forfeit and pay the Sum of *Five Pounds* for every such Offence; to be recovered by Action of Debt, or Presentment of the Grand-Jury as aforesaid, and pay all Damages.

17. PROVIDED ALWAYS, That the sixth Section of this Act shall not be construed to affect any Native *Indian*; and that nothing in this Act shall be construed to prevent the Inhabitants of *Essex*, *Bergen*, *Morris* and *Suffex*, from making, having in their Houses, or setting Traps of five Pounds Weight or more for Bears, Wolves, Foxes, or any other wild Beasts, Deer only excepted.

18. AND BE IT FURTHER ENACTED by the Authority aforesaid, That all former Laws made in this Colony for the Preservation of Deer and other Game, and to prevent trespassing with Guns, and regulating the Size of Traps, shall be, and they are hereby repealed.

C H A P. DXLI.

*An ACT declaring the River Delaware a common Highway,  
and for improving the Navigation in the said River.*

Passed Dec. 21, 1771.



# ACTS

PASSED BY THE GENERAL ASSEMBLY

OF THE

# STATE OF LOUISIANA,

AT THE

## EXTRA SESSION,

HELD AND BEGUN IN THE CITY OF NEW ORLEANS,

ON THE 23d OF NOVEMBER, 1865.

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PUBLISHED BY AUTHORITY.

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NEW ORLEANS:

J. Q. NIXON, STATE PRINTER,  
1866.

incurred by his Excellency, J. Madison Wells, Governor of the State of Louisiana, in fitting up the Mechanics' Institute for the use of the General Assembly, the said amount to be paid on the warrant of the Auditor of Public Accounts, to the following persons, and as follows:

|                                                                                               |            |
|-----------------------------------------------------------------------------------------------|------------|
| C. W. Grandjean, two thousand three hundred and twenty-seven dollars and eighteen cents.....  | \$2,327 18 |
| Allen Hill, two thousand and seventy-six dollars and fifty cents.....                         | 2,076 50   |
| A. Brosseau & Co., one thousand six hundred and thirty-nine dollars and ninety-two cents..... | 1,639 92   |
| Selby & Donlan, two hundred and eighty-four dollars and thirty-five cents.....                | 284 35     |
| J. P. Coulon, three hundred and seventy-one dollars and sixty-five cents.....                 | 371 65     |
| P. Ward, one hundred dollars.....                                                             | 100 00     |
| John Gauche, twenty dollars and fifty cents.....                                              | 20 50      |
| Sampson & Kean, thirty dollars.....                                                           | 30 00      |
| G. W. R. Bailey, two hundred dollars.....                                                     | 200 00     |
| Total.....                                                                                    | \$7,050 10 |

Sec. 2. Be it enacted, &c., That this act shall take effect from and after its passage.

DUNCAN S. CAGE,  
Speaker of the House of Representatives.

ALBERT VOORHIES,

Lieutenant Governor and President of the Senate.

Approved December 18, 1865.

J. MADISON WELLS,  
Governor of the State of Louisiana.

A true copy:

J. H. HARDY,  
Secretary of State.

No. 10.]

## AN ACT

To prohibit the carrying of fire-arms on premises or plantations of any citizen, without the consent of the owner.

**SECTION 1.** Be it enacted by the Senate and House of Representatives of the State of Louisiana, in General Assembly convened, That it shall not be lawful for any person or persons to carry fire-arms on the premises or plantations of any citizen, without the consent of the owner or proprietor, other than in lawful discharge of a civil or military order; and any person or persons so offending shall be fined a sum not less than one dollar nor more than ten dollars, or imprisoned not less than one day nor more than ten days in the parish jail, or both, at the discretion of any court of competent jurisdiction.

Penalty.

préparer, pour l'usage de l'Assemblée Générale, les salles de l'Institut des Artisans. Le susdit montant sera payé sur le mandat de l'Auditeur des Comptes Publics, aux personnes ci-après désignées, ainsi que suit:

|                                                                                           |            |
|-------------------------------------------------------------------------------------------|------------|
| C. W. Grandjean, deux mille trois cent vingt-sept piastres et dix-huit cents.....         | \$2,327 18 |
| Allen Hill, deux mille soixante-seize piastres et cinquante cents.....                    | 2,076 50   |
| A. Brousseau & Cie., mille six cent trente-neuf piastres et quatre-vingt-douze cents..... | 1,639 92   |
| Selby & Donlaw, deux cent quatrevingt-quatre piastres et trente-cinq cents.....           | 284 35     |
| J. P. Coulon, trois cent soixante-onze piastres et soixante-cinq cents.....               | 371 65     |
| P. Ward, cent piastres.....                                                               | 100 00     |
| John Gauché, vingt piastres et cinquante cents.....                                       | 20 50      |
| Sampson & Keen, trente piastres.....                                                      | 30 00      |
| G. W. R. Bailey, deux cents piastres.....                                                 | 200 00     |

Total ..... \$7,050 10

Sec. 2. Décrètent de plus: Cet acte sortira son effet à compter de son adoption.

DUNCAN S. CAGE,

Orateur de la Chambre des Représentants.

ALBERT VOORHIES,

Lieutenant-Gouverneur et Président du Sénat.

Approuvé le 18 décembre 1865.

J. MADISON WELLS,

Gouverneur de l'Etat de la Louisiane.

Pour copie conforme:

J. H. HARDY,  
Secrétaire d'Etat.

No. 10.]

## ACTE

Défendant le port d'armes à feu dans le domaine ou l'habitation de tout citoyen sans le consentement du propriétaire.

SECTION 1. Le Sénat et la Chambre des Représentants de l'Etat de la Louisiane, réunis en Assemblée Générale, décrètent: La loi défend à toute personne de porter des armes à feu dans le domaine ou l'habitation de tout citoyen, sans le consentement du propriétaire, excepté dans l'accomplissement légitime d'un ordre civil ou militaire; toute contravention à cette loi sera punie d'une amende d'au moins une piastre et de dix au plus, ou d'un emprisonnement d'un jour au moins, et qui n'en excèdera pas dix, dans la prison de paroisse; les deux peines pourront être infligées à la fois, à la discrétion de toute cour de juridiction compétente.

Peine contre le  
port illégal d'ar-  
mes à feu.

Repealing clause. SEC. 2. Be it further enacted, &c., That all laws, or parts of laws, to the contrary notwithstanding, be and the same are hereby repealed.

DUNCAN S. CAGE,

Speaker of the House of Representatives.

ALBERT VOORHIES,

Lieutenant Governor and President of the Senate.

Approved December 20, 1865.

J. MADISON WELLS,

Governor of the State of Louisiana.

A true copy:

J. H. HARDY,

Secretary of State.

No. 11.]

AN ACT

To Prevent Trespassing.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana, in General Assembly convened, That Persons offend- whosoever shall enter upon any plantation without the permission of ing against this Act, before whom tried.

Fine. shall be deemed guilty of a misdemeanor, and shall be liable to be arrested and brought before any court of competent jurisdiction, and upon proof of the fact shall be fined in a sum not exceeding one hundred dollars, or imprisoned for a term not exceeding one month, and may, moreover, be required to give bond for good behavior during six months.

Repealing clause. SEC. 2. Be it further enacted, &c., That all laws, or parts of laws, contrary to the provisions of this act, be and the same are hereby repealed.

SEC. 3. Be it further enacted, &c., That this act shall take effect from and after its passage.

DUNCAN S. CAGE,

Speaker of the House of Representatives.

ALBERT VOORHIES,

Lieutenant Governor and President of the Senate.

Approved December 20, 1865.

J. MADISON WELLS,

Governor of the State of Louisiana.

A true copy:

J. H. HARDY,

Secretary of State.

No. 12.]

AN ACT

To amend and re-enact the one hundred and twenty-first section of an act entitled "An Act relative to crimes and offenses;" approved March 14, 1855.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That

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SEC. 2. Décrètent de plus: Toutes lois ou dispositions contraires clause d'abrogation.  
à cet acte, sont et demeurent abrogées par les présentes.

DUNCAN S. CAGE,

Orateur de la Chambre des Représentants.

ALBERT VOORHIES,

Lieutenant-Gouverneur et Président du Sénat.

Approuvé le 20 décembre 1865.

J. MADISON WELLS,

Gouverneur de l'Etat de la Louisiane.

Pour copie conforme:

J. H. HARDY,

Secrétaire d'Etat.

No. 11.]

ACTE

Empêchant la violation du droit de propriété.

SECTION 1. Le Sénat et la Chambre des Représentants de l'Etat de la Louisiane, réunis en Assemblée Générale, décrètent: Quiconque entrera dans une habitation sans le consentement du propriétaire ou de son agent, sera considéré coupable d'un délit, et sera sujet à être arrêté et traduit devant toute cour de juridiction compétente; la preuve du fait susdit entraînera une condamnation à une amende qui n'excédera pas cent piastres, ou à un emprisonnement qui ne durera pas plus d'un mois, et l'on pourra de plus exiger du coupable un cautionnement qui répondra de sa bonne conduite pendant six mois.

SEC. 2. Décrètent de plus: Toutes lois ou dispositions à ce contraire, sont par le présent abrogées.

SEC. 3. Décrètent de plus: Cet acte sortira son effet à compter de son adoption.

DUNCAN S. CAGE,

Orateur de la Chambre des Représentants.

ALBERT VOORHIES,

Lieutenant-Gouverneur et Président du Sénat.

Approuvé le 20 décembre 1865.

J. MADISON WELLS,

Gouverneur de l'Etat de la Louisiane.

Pour copie conforme:

J. H. HARDY,

Secrétaire d'Etat.

No. 12.]

ACTE

Amendant et réédicteant la cent vingt-et-unième section de l'acte intitulé: "Acte relatif aux Crimes et Défauts," approuvé le 14 mars 1865.

SECTION 1. Le Sénat et la Chambre des Représentants de l'Etat de la Louisiane, réunis en Assemblée Générale, décrètent :



A DIGEST  
OF THE  
LAWS OF TEXAS:  
CONTAINING THE LAWS IN FORCE,  
AND  
THE REPEALED LAWS  
ON WHICH RIGHTS REST,  
FROM 1754 TO 1874,  
CAREFULLY ANNOTATED.

BY GEORGE W. PASCHAL,  
*OF AUSTIN, TEXAS,*  
LATE REPORTER OF THE SUPREME COURT OF TEXAS, AUTHOR OF PASCHAL'S ANNOTATED  
CONSTITUTION, PASCHAL'S DIGEST OF DECISIONS, ETC., ETC.

Fourth Edition—Volume II

WASHINGTON, D. C.:  
W. H. & O. H. MORRISON,  
HOUSTON, TEXAS: E. H. CUSHING.  
NEW YORK: BAKER, VOORHIS & CO.  
1874.

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## CRIMINAL CODE.

1321

## TITLE XI.—OF OFFENSES AGAINST THE PUBLIC PEACE.

Arts. 1984–1995.

## CHAPTER I.—UNLAWFUL ASSEMBLIES.

## AN ACT TO AMEND THE PENAL CODE FOR THE STATE OF TEXAS.

ART. 6508. [1] The penal code for the state of Texas [shall] be amended as follows, by inserting after article 363 the following: [363a] If the purpose of the unlawful assembly be to alarm and frighten any person or persons, by appearing in disguise, so that the real persons so acting and assembling cannot be readily known, and by using language or gestures calculated to produce in such person or persons the fear of bodily harm, all persons engaged therein shall be punished by fine not less than one hundred dollars nor more than one thousand dollars each; and if such unlawful assembly shall take place at any time of the night, that is, between sunset and sunrise, the fine shall be doubled; and if three or more persons are found together disguised, and armed with deadly weapons, the same shall be *prima facie* evidence of the guilty purpose of such persons, as above described; and if any other unlawful assembly mentioned in this chapter consist in whole or in part of persons disguised and armed with deadly weapons, the fine to be assessed upon each person so offending shall be double the penalty hereinbefore prescribed.

6 Nov., 1871; took effect from passage. Vol. 21, part 3, p. 19.  
Art. 1933.

Unlawfully appearing in disguise as Ku-klux, White Camellias, and other deviltry, punished. Arts. 7030–7036.

If at night, double punishment.

Three or more together. Prima facie evidence.

## CHAPTER III.—AFFRAYS AND DISTURBANCES OF THE PEACE.

Arts. 2011–2013.

## AN ACT TO PROHIBIT THE DISCHARGING OF FIREARMS IN CERTAIN PLACES THEREIN NAMED.

12 Nov., 1866; took effect 13 Jan., 1867. Vol. 20, p. 210.

Discharging firearms within municipal limits made unlawful;

and punished, as disturbance of the peace, by fine not exceeding \$100.

ART. 6508a. [1] It shall not be lawful for any person to discharge any gun, pistol, or firearms of any description whatever, on, or across any public square, street, or alley, in any city or town in this state: *Provided*, This act shall not be so construed as to apply to the "outer town," or suburbs, of any city or town.

ART. 6508b. [2] Any person who shall discharge any firearms, in violation of the provisions of the first section of this act, shall be deemed guilty of disturbing the public peace, and on conviction thereof, before any court having competent jurisdiction, shall be fined in any sum not exceeding one hundred dollars, to be recovered as other fines and penalties.

## AN ACT TO AMEND ARTICLE 382, TITLE XI, CHAPTER 3, OF THE PENAL CODE.

26 Oct., 1866; took effect from passage. Vol. 20, p. 60.  
Disturbance of the peace, &c., by quarreling. Art. 2012.

Fine not to exceed \$50.

ART. 6509. [1] Article 382, title XI, chapter III, of the penal code, shall hereafter read as follows: If any one or more persons shall, in any public place, by loud and vociferous talking, swearing, or rudely displaying any pistol, or other deadly weapon, so as to disturb the inhabitants of the place in the prosecution of their lawful business, any person engaged in such disturbance shall be fined in any sum not exceeding fifty dollars.\*

6 Nov., 1866; took effect 13 Jan., 1867. Vol. 20, p. 90.

Carrying firearms an offense.

## AN ACT TO PROHIBIT THE CARRYING OF FIREARMS ON PREMISES OR PLANTATIONS OF ANY CITIZEN WITHOUT THE CONSENT OF THE OWNER.

ART. 6510. [1] It shall not be lawful for any person or persons to carry firearms on the inclosed premises or plantation of any citizen, without the consent of the owner or proprietor, other than in the lawful discharge of a civil or military duty, and any person or persons so offending shall be fined a sum not less than one nor more than ten dollars, or imprisonment in the county

\$10 fine, or ten

\* 1330a. This is sufficiently certain and complete. *Sisk v. The State*, 35 Tex., 496.

days' imprisonment.

jail nor less than one day nor more than ten days, or both, in the discretion of the court or jury before whom the trial is had.

12 Aug., 1870;  
took effect 12  
Oct., 1870. Vol. 21,  
part 1, p. 63.  
Persons not to  
bear arms at pub-  
lic assemblies.  
Social inter-  
course and elec-  
tions not to be  
made dangerous.

Art. 6512.

Kinds of weapons  
prohibited.

Fine \$50 to \$500.  
Notes, 111, 167.

Scalp-lifting  
country excepted.

Armed officials.

#### AN ACT REGULATING THE RIGHT TO KEEP AND BEAR ARMS.

**ART. 6511.** [1] If any person shall go into any church or religious assembly, any school-room or other place where persons are assembled for educational, literary, or scientific purposes, or into a ball-room, social party, or other social gathering, composed of ladies and gentlemen, or to any election precinct on the day or days of any election, where any portion of the people of this state are collected to vote at any election, or to any other place where people may be assembled to muster or to perform any other public duty, or any other public assembly, and shall have about his person a bowie-knife, dirk, or butcher-knife, or firearms, whether known as a six-shooter, gun, or pistol of any kind, such person so offending shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in a sum not less than fifty or more than five hundred dollars, at the discretion of the court or jury trying the same: *Provided*, That nothing contained in this section shall apply to locations subject to Indian depredations: *And provided further*, That this act shall not apply to any person or persons whose duty it is to bear arms on such occasions in discharge of duties imposed by law.

12 April, 1871;  
took effect 12  
June, 1871. Vol.  
21, part 2, p. 25.  
Carrying arms a  
misdemeanor,  
punishable by  
fine and forfeit-  
ure, unless, &c.  
Patriots and mil-  
itiamen excepted.  
Art. 6511.  
[This section is  
constitutional.  
*English v. The  
State*, 35 Tex.,  
474.]

Fine \$25 to \$100  
for first offense.

Imprisonment  
for second of-  
fense.  
Notes 111, 167.

People at home  
and officials ex-  
cepted.  
[Carrying weap-  
ons to and from  
market is within  
the proviso. *Wad-  
dell v. The State*,  
37 Tex., 356. But  
carrying a pistol  
hog hunting in  
the woods is not  
within the ex-  
ception. *Baird  
v. The State*, 39  
Tex., 609.]  
Art. 6512.  
Justification  
must be immedi-

#### AN ACT TO REGULATE THE KEEPING AND BEARING OF DEADLY WEAPONS.

**ART. 6512.** [1] Any person carrying on or about his person, saddle, or in his saddle-bags, any pistol, dirk, dagger, slung-shot, sword-cane, spear, brass-knuckles, bowie-knife, or any other kind of knife manufactured or sold for the purpose of offense or defense, unless he has reasonable grounds for fearing an unlawful attack on his person, and that such ground of attack shall be immediate and pressing; or unless having or carrying the same on or about his person for the lawful defense the state, as a militiaman in actual service, or as a peace officer or policeman, shall be guilty of a misdemeanor, and, on conviction thereof, shall, for the first offense, be punished by fine of not less than twenty-five nor more than one hundred dollars, and shall forfeit to the county the weapon or weapons so found on or about his person; and for every subsequent offense may, in addition to such fine and forfeiture, be imprisoned in the county jail for a term not exceeding sixty days; and in every case of fine under this section the fines imposed and collected shall go into the treasury of the county in which they may have been imposed: *Provided*, That this section shall not be so construed as to prohibit any person from keeping or bearing arms on his or her own premises, or at his or her own place of business, nor to prohibit sheriffs or other revenue officers, and other civil officers, from keeping or bearing arms while engaged in the discharge of their official duties, nor to prohibit persons traveling in the state from keeping or carrying arms with their baggage: *Provided further*, That members of the legislature shall not be included under the term "civil officers" as used in this act.

**ART. 6513.** [2] Any person charged under the first section of this act, who may offer to prove, by way of defense, that he was



THE STATE OF OREGON.

# GENERAL AND SPECIAL LAWS

AND

## JOINT RESOLUTIONS AND MEMORIALS

PASSED AND ADOPTED BY THE

SEVENTEENTH REGULAR SESSION,

1893.

Begun on the ninth day of January, A. D. 1893, and ended on the  
eighteenth day of February thereof.



SALEM, OREGON:  
FRANK C. BAKER, STATE PRINTER.  
1893.

GENERAL LAWS,

79

of Multnomah. All acts and parts of acts in conflict with this act are hereby repealed.

Section 2. The county court of Multnomah county, Oregon, shall procure or cause to be procured properly attested copies of the records of Clackamas county, Oregon, affecting the title to real estate situated in the territory described in section one of this act, and have the same recorded in the records of Multnomah county, Oregon, and thereafter such records shall be recognized and become a part of the official records of said Multnomah county, Oregon.

Filed in the office of the secretary of state, February 20, 1893.

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AN ACT

[S. B. 15.]

To Prevent a Person from Trespassing upon any Enclosed Premises or Lands not His Own Being Armed with a Gun, Pistol, or other Firearm, and to Prevent Shooting upon or from the Public Highway.

*Be it enacted by the Legislative Assembly of the State of Oregon:*

Section 1. It shall be unlawful for any person, other than an officer on lawful business, being armed with a gun, pistol, or other firearm, to go or trespass upon any enclosed premises or lands without the consent of the owner or possessor thereof.

Section 2. It shall be unlawful for any person to shoot upon or from the public highways.

Section 3. It shall be unlawful for any person, being armed with a gun or other firearm, to cause, permit, or suffer any dog, accompanying such person, to go or enter upon any enclosed premises without the consent of the owner or possessor thereof; provided, that this section shall not apply to dogs in pursuit of deer or varmints.

Section 4. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not less than fifteen dollars nor more than fifty dollars, and in default of the payment of the fine imposed shall be committed to the county jail of the county in which the offense is committed, one day for every two dollars of the said fine.

Section 5. Justices of the peace for the proper county shall have jurisdiction of the trial of offenses herein defined.

Filed in the office of the secretary of state, February 20, 1893.